

REMARKS

This Amendment is submitted prior to continued examination of the present application and in response to the final Office Action issued October 28, 2008. Claims 1-22 were pending in the application. In the Office Action, claims 1-22 were rejected. In this Amendment, claims 1, 8, 11, and 18 have been amended. Claims 21-22 have been canceled. No new matter has been added. Claims 1-20 thus remain for consideration.

Applicants submit that claims 1-20 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

Claims 1-22 were rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Publication No. 2002/0066113 to Utsonomiya et al. ("*Utsonomiya*").

Claim 1 relates to an information recording apparatus for executing a data recordation process. This claim has been amended to recite "a recordation control process executing section for executing a selection process to select a recording medium based on available capacities of the information recording means, for executing a data recordation process to at least one of the plurality of information recording means." Support for this amendment may be found throughout the specification. For example, ¶ [0103] teaches that the selection process executed by the control process executing section includes "acquiring pieces of available capacity information on a plurality of recording mediums and selecting a recording medium having a greater available capacity."

Utsonomiya nowhere mentions a process executed by the information recording apparatus for selecting a recording start medium. Indeed, *Utsonomiya* teaches that the user must select a recorder to begin recording and provide instructions to that

recorder. (*Utsonomiya*, ¶ [0052]). Moreover, *Utsonomiya* also teaches that when a first recorder determines that it has insufficient capacity to finish recording contents A, recording may be continued on a predetermined consecutive recording device. (*Id.* at ¶ [0076]). Thus, the apparatus of *Utsonomiya* is incapable of executing a process for selecting a recording means based on available capacity of the recording means.

For at least this reason, Applicants respectfully submit that claim 1 is patentable over *Utsonomiya*. Therefore, Applicants also request that the rejections of *Utsonomiya* be withdrawn.

Further, because claims 2-7 depend from claim 1 and therefore include all the limitations of same, Applicants respectfully submit that claims 2-7 are also patentable and request that their rejections be withdrawn.

Claim 11 was rejected on the same grounds as claim 1. Claim 11 has also been amended to recite similar limitations to those of amended claim 1. Accordingly, for at least the reasons discussed above in connection with claim 1, Applicants respectfully submit that claim 11 is patentable.

Additionally, because claims 12-17 depend from claim 11, and therefore include all the limitations of claim 11, Applicants respectfully request that the rejections of claims 12-17 be withdrawn.

Claim 8 relates to an information reproduction apparatus. Claim 8 has been amended to recite:

a plurality of information
recording means for subject-of-reproducing
data; and
a reproduction control process
executing section for executing a
reproducing process of data continuously

stored on the information recording means,
depending upon control information;

the control information including
reproduction procedure information in which
a procedure for reproducing data is recorded
and reproduction management information in
which link information to the corresponding
reproduction procedure information is
stored, wherein

each of the plurality of
information recording means stores
management information about content
recorded on at least one different recording
medium.

Support for this amendment may be found throughout the
specification, for example, at ¶ [0132].

Utsonomiya fails to disclose that "each of the
plurality of information recording means stores management
information about content recorded on at least one different
recording medium." Rather, *Utsonomiya* merely teaches that one
recorder (recorder/player 3) performs communication link
generating control with the other mediums. (See, e.g.,
Utsonomiya ¶ [0071]). This is clearly not the same.

Accordingly, for at least the reasons discussed above,
Applicants respectfully submit that claim 8 is patentable over
Utsonomiya. Therefore, Applicant respectfully requests that the
rejection of claim 8 be withdrawn.

Claims 9-10 depend from claim 8, and therefore include
all the limitations of same. Accordingly, for at least the
reasons discussed above in connection with claim 8, Applicants
request that the rejections of claims 9-10 be withdrawn.

Claim 18 was rejected on the same grounds as claim 8,
and have been amended to include limitations similar to those of
amended claim 8. Thus, for at least the reasons discussed above
in connection with claim 8, Applicants respectfully submit that

claim 18 is patentable and request that their rejections be withdrawn.

For at least the reason that claims 19-20 depend from claim 18, and include all the limitations of claim 18, Applicants respectfully submit that claims 19-20 are patentable over *Utsonomiya*. Therefore, Applicants respectfully request that the rejections of claims 19-20 be withdrawn.

Claims 21-22 have been canceled, thereby obviating their rejections.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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